



## ILLINOIS COMMERCE COMMISSION

August 25, 2003

Illinois & Midland Railroad, Inc.,  
Petitioner

Vs.

T03-0086

State of Illinois, Department of Transportation; County of Tazewell,  
Respondents

Petition to Modify Railroad Crossing Intersection D.O.T. 169809T.

Mr. Hugh J. Graham, III  
Graham & Graham, Ltd.  
1201 South 8<sup>th</sup>  
Springfield, IL 62703

Dear Mr. Graham:

Receipt is acknowledged of the original and three (3) copies of the Petition filed August 22, 2003 in the above matter.

**All future correspondence/pleadings should be filed with an original and three (3) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, IL 62701.**

Processing and Information Section

kl

cc: Mr. Victor A. Modeer, IDOT  
Ms. Raquel Swan, IMRR  
Mr. Norman Johansen, Tazewell County

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
SPRINGFIELD, ILLINOIS

ILLINOIS & MIDLAND RAILROAD, INC.

Petitioner

vs.

STATE OF ILLINOIS DEPARTMENT OF  
TRANSPORTATION; COUNTY OF TAZEWELL

ILLINOIS COMMERCE  
COMMISSION  
2003 AUG 22 A 11:59  
TRANSPORTATION DIV  
103-0086

PETITION  
TO  
MODIFY RAILROAD CROSSING INTERSECTION  
D.O.T. 169809T

Now comes the Petitioner, Illinois & Midland Railroad, Inc. with its petition of the Illinois Commerce Commission to modify a railroad crossing intersection, and in support thereof shows to the Commission the following:

1. The Petitioner, Illinois & Midland Railroad, Inc., is a Delaware Corporation authorized to operate as a Railroad in Illinois.
2. The Petitioner seeks to modify the railroad crossing described as D.O.T. 169809T; also described as I & M Crossing No. 138-A.
3. The Illinois Commerce Commission has jurisdiction of the subject matter.
4. The instant crossing D.O.T. 169809T in its present form, is the intersection of the single track of the mainline of the Illinois & Midland Railroad and Wagon seller Road (a north south road) in Tazewell County. The present crossing protection consists of automatic flashing lights, one stanchion at the Northwest quadrant of the Wagon seller Road intersection, and one in the Southeast quadrant. This present protection is in place by the State of Illinois Commerce Commission Order of November 29, 1972 of Docket No. 57468.
5. The single track mainline of the Petitioner extends northeasterly from its intersection with Wagon seller Road, lying easterly and parallel to the mainline is a series of 4 yard tracks housing from 115 railroad cars to 127 railroad cars, or some 7500' in length; this is called Crescent Yard. Those 4 yard tracks join the main line presently a short distance northerly from Wagon seller Road. Attached hereto, Exhibit No. 1, shows the general layout of the crossing and the accompanying yards, i.e. Crescent Yard and Powerton Yard.
6. The petitioner has a yard consisting of 4 tracks lying Northwesterly of and parallel to the mainline called Powerton Yard; this permits of train service by the Petitioner for an Exelon coal fired electric generating station, located near that crossing.

7. Currently, there are 2 trains per day using the mainline, which cross Wagon seller Road. Presently, there are 11 yard movements across this same crossing. The mainline speed is 20 miles per hour, with the yard limit speed of 10 miles per hour.

8. The Petitioner desires to modify the existing described arrangement to permit of handling longer trains in the Crescent Yard. More particularly, the Petitioner is going to lengthen the present Crescent Yard Tracks 1-4, extending them in both a Northerly and Southerly direction, with the result that Crescent Yard Track No. 4 will accommodate 141 cars and Crescent Yard Tracks Nos. 1, 2, and 3 will each accommodate 139 cars.

In addition, Crescent Yard Track No. 1 will be extended southerly such that it will extend into Wagon seller Road and have its intersection with the mainline of Petitioners South of Wagon seller Road (the other Crescent Yard Tracks 2, 3, and 4 will not cross Wagon seller Road). See attached Exhibit 2.

The other modification will be relocation of the existing flashing crossing lights located in the Southeast quadrant to a distance further East because of the extension of Crescent Yard No. 1, Southerly into Wagon seller Road. Finally, the new crossing will be of 40' wood planks construction.

9. The change in the railroad crossing arrangement will not result in any additional mainline through movements; it will probably add 5 yard track movements across the crossing daily.

10. The daily vehicular traffic across the crossing is probably not in excess of 500 daily.

11. The cost to renovate the crossing itself to handle the changes in the crossing configuration is some \$32,000.00 as shown by Exhibit 3.

12. The cost to relocate the one flashing light stanchion located in the south quadrant is some \$10,000.00 as shown by Exhibit 4.

13. The changes proposed will be made by the Petitioner with its own forces, and made in accordance with the Rules of the Illinois Commerce Commission.

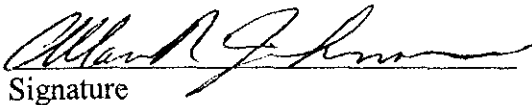
14. The modifications to the crossing are necessary to handle the train movements, and accompany yard movements, and the changes are consistent with the best interest of the public health convenience and necessity.

Whereof the Petitioner, Illinois & Midland, Inc., pray of the Illinois Commerce Commission that it authorize the Illinois & Midland to modify the crossing to permit a yard track to extend across Wagon seller Road, and to relocate an existing flashing crossing light, all as described above and for such other and further relief as may be necessary.

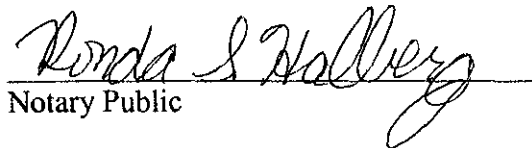
ATTESTATION

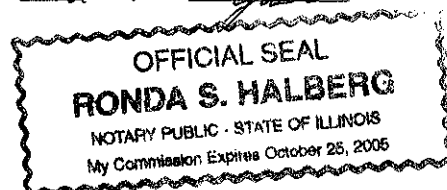
STATE OF ILLINOIS       )  
                                      ) SS  
COUNTY OF SANGAMON)

I, Allen R. Johnson, being first duly sworn on oath, deposes and states that I am the engineer for Illinois and Midland in the above-captioned matter, that I have read the foregoing document, and the statements made herein are true, correct and complete to the best of my knowledge and belief.

  
Signature

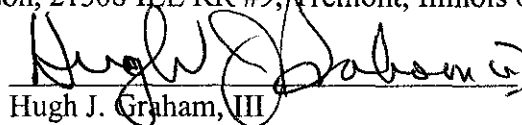
Subscribed and Sworn to before me  
this 22nd day of August, 2003.

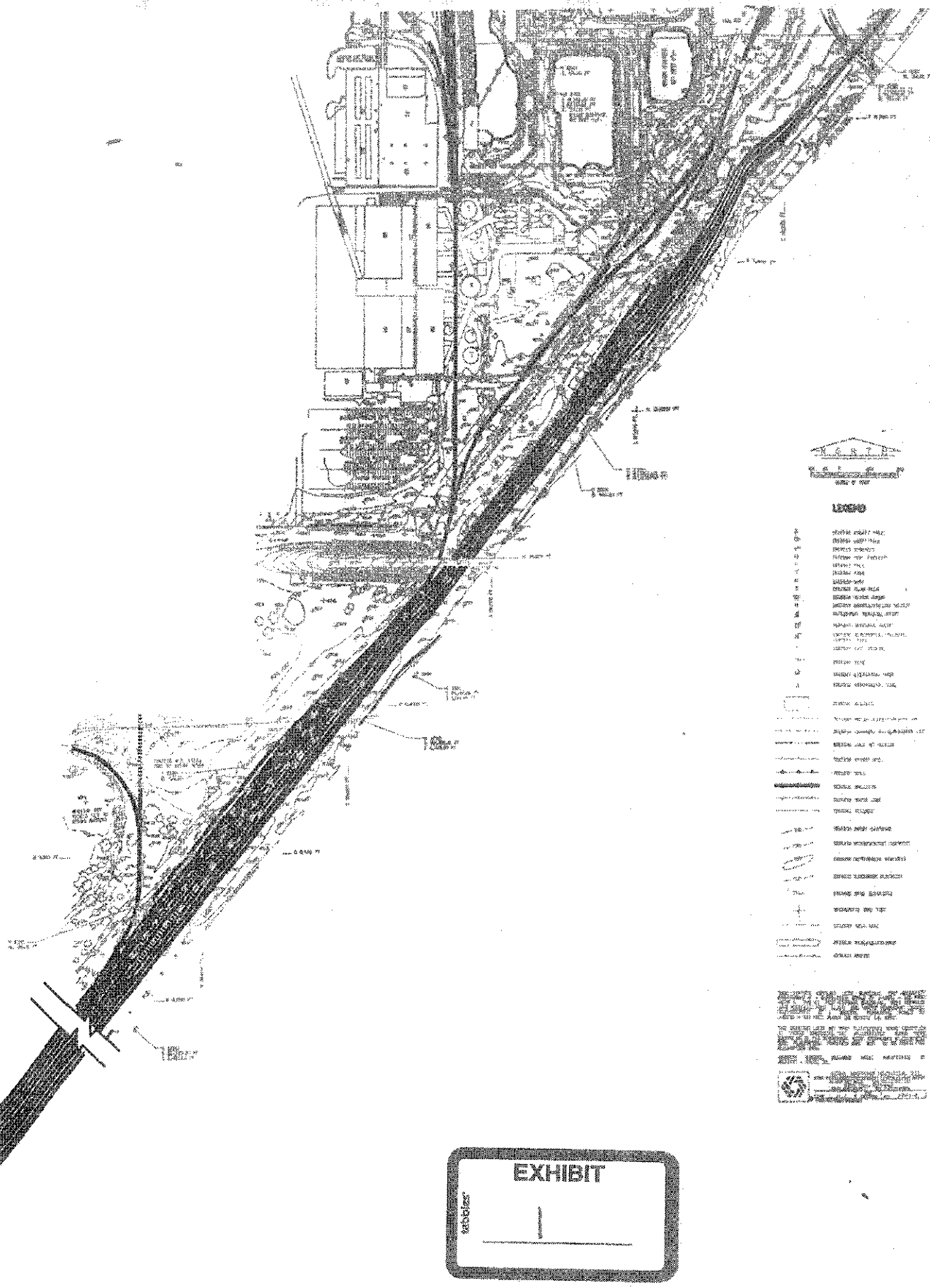
  
Notary Public



CERTIFICATION

I, Hugh J. Graham, III attorney for the I & M certify that I have on this the 22 day of August, 2003 filed the original and three copies of the aforementioned Petition with the Illinois Commerce Commission and deposited in the United State mail an additional copy with the Illinois Department of Transportation, Victor A. Modeer, Director, Attn: Jeff Harpring, 2300 South Dirksen Parkway, Springfield, Illinois 62764 and the County of Tazewell's Superintendent of Highways, Norman Johnson, 21308 ILL RR #9, Tremont, Illinois 61568.

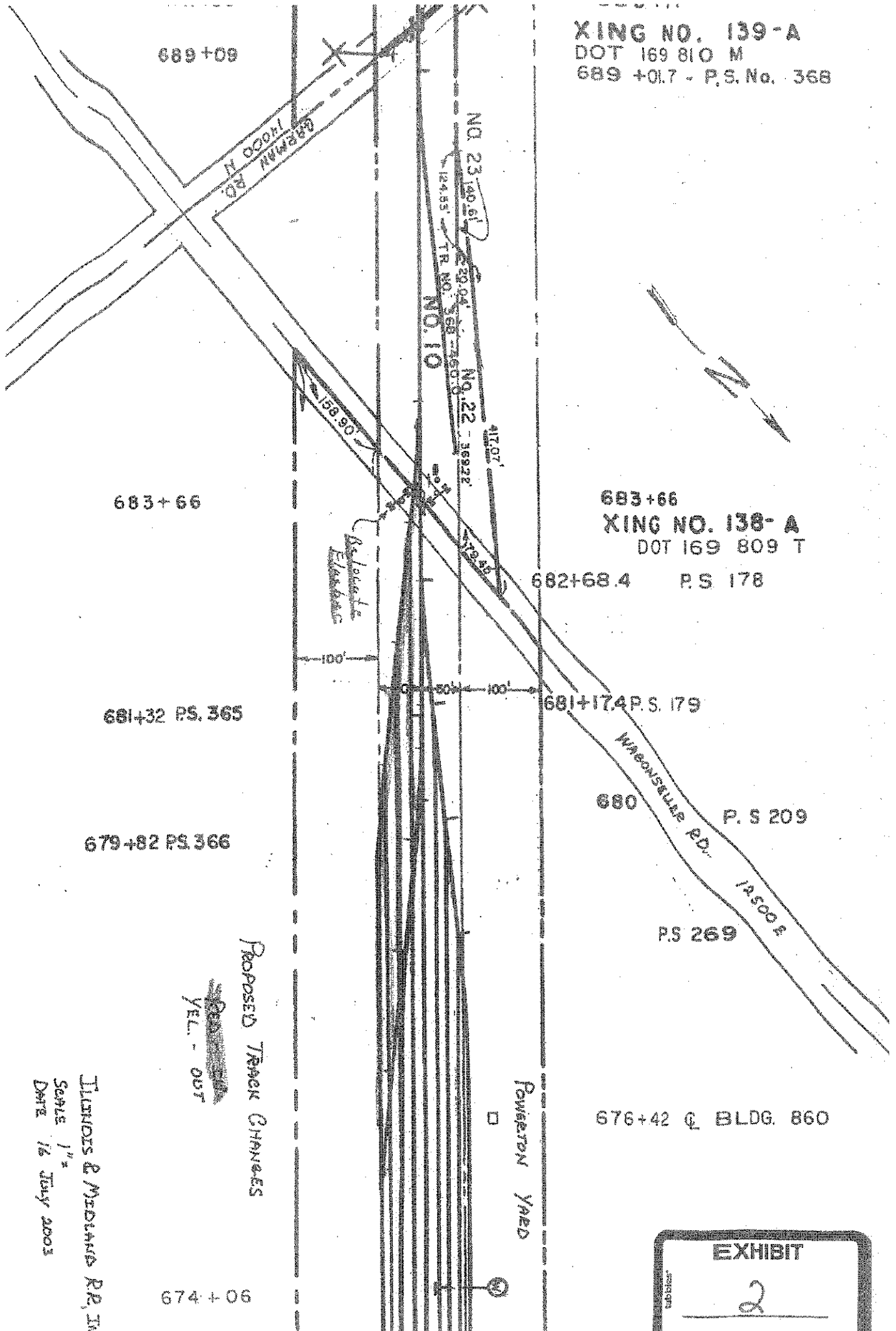
  
Hugh J. Graham, III



EXHIBIT

1

XING NO. 139-A  
DOT 169 810 M  
689 +01.7 - P.S. No. 368



683+66  
XING NO. 138-A  
DOT 169 809 T  
682+68.4 P.S. 178

681+32 P.S. 365

679+82 P.S. 366

680 P.S. 209  
WILSONVILLE RD. 14500 E  
P.S. 269

676+42 Q BLDG. 860

PROPOSED TRACK CHANGES

Red  
YEL. - OUT

ILLINOIS & MIDLAND R.R., INC.  
Scale 1" = 100'  
Date 16 July 2003

EXHIBIT

2

ILLINOIS & MIDLAND RAILROAD INC.  
Office of Chief Engineer  
Springfield, Illinois

Wagonseller Road  
Storage track crossing

Labor			Qty.	Unit	Price	Total
Excavate roadw	1 days	B & B	24	MH	\$19.20	\$461
	1 days	Mechanic	8	MH	\$19.10	\$153
Place subballa	1 days	Mechanic	8	MH	\$19.10	\$153
	1 days	Section	32	MH	\$18.35	\$587
Install Ties	2 days	Section	64	MH	\$18.35	\$1,174
	2 days	Mechanic	32	MH	\$19.10	\$611
Weld Rail	2 days	Welder	16	MH	\$19.10	\$306
	2 days	Mechanic	16	MH	\$19.10	\$306
	2 days	Section	16	MH	\$18.35	\$294
Install Rail	1 days	Section	32	MH	\$18.35	\$587
	1 days	Mechanic	8	MH	\$19.10	\$153
Tamp Track	1 days	Tamper	8	MH	\$19.10	\$153
	1 days	Regulate	8	MH	\$19.10	\$153
Install planki	1 days	B & B	24	MH	\$19.20	\$461
	1 days	Mechanic	8	MH	\$19.10	\$153
Pave roadway	1 days	Mechanic	8	MH	\$19.10	\$153
	1 days	B & B	24	MH	\$19.20	\$461
Labor Total						\$5,703

MATERIAL

Rail, 115 lb.	156 ft.	\$15.00	\$2,340
Ties, 7"x9"	50 ea.	\$55.00	\$2,750
Tie Plates	100 ea.	\$5.00	\$500
Welds	2 ea.	\$125.00	\$250
Inj. Joint	12 pr.	\$250.00	\$3,000
Anchors	200 ea.	\$2.00	\$400
Ballast	90 ton	\$15.00	\$1,350
Spikes	200 lb.	\$0.50	\$100
Plank, Crossing	18 ea.	\$50.00	\$900

*40 ft crossing*



Shim, Plank	15 ea.	\$15.00	\$225
Lags	175 lb.	\$2.00	\$350
Asphalt	20 ton	\$50.00	\$1,000
Misc.	1 lot	\$1,000	\$1,000

Material Total	\$14,165
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#### EQUIPMENT RENTAL

Truck, Section	6 day	\$175.00	\$1,050
Truck, Section	6 day	\$100.00	\$600
Truck, Dump	6 day	\$100.00	\$600
Truck, Tamping	1 day	\$40.00	\$40
Truck, Mechanic	9 day	\$75.00	\$675
Truck, B & B	3 day	\$175.00	\$525
Tamper	1 day	\$700.00	\$700
Regulator	1 day	\$300.00	\$300
Backhoe	6 day	\$210.00	\$1,260
Speed Swing	3 day	\$200.00	\$600
Hydraulic Unit	3 day	\$45.00	\$135
Hydraulic Unit	3 day	\$45.00	\$135
Hydraulic Wrench	1 day	\$15.00	\$15
Hydraulic Spiker	2 day	\$15.00	\$30

E.R. Total	\$6,665
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#### OVERHEADS

Labor	Overhead Labor	\$3,137
MSE	Overhead Material	\$2,125

Crossing cost	\$31,795
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ILLINOIS & MIDLAND RAILROAD INC.  
Office of Chief Engineer  
Springfield, Illinois

Wagonseller Road  
Move Flashing Light

Labor			Qty.	Unit	Price	Total
Set foundation	1 days	Signalme	16	MH	\$19.40	\$310
	1 days	Mechanic	8	MH	\$19.10	\$153
Lay cable	3 days	Signalme	48	MH	\$19.40	\$931
	3 days	Mechanic	24	MH	\$19.10	\$458
Bounding	1 days	Signalme	16	MH	\$19.40	\$310
	1 days	Mechanic	8	MH	\$19.10	\$153
Move flasher	1 days	Signalme	16	MH	\$19.40	\$310
	1 days	Mechanic	8	MH	\$19.10	\$153
Cut over	2 days	Signalme	32	MH	\$19.40	\$621
	2 days	Mechanic	16	MH	\$19.10	\$306

Labor Total                      \$3,242

MATERIAL

7/c #9 cable	300 ft.	\$3.00	\$900
Twisted track wire	400 ft.	\$1.75	\$700
Misc.	1 lot	\$200.00	\$200

Material Total                      \$1,800

EQUIPMENT RENTAL

Truck, Signalmen	8 day	\$40.00	\$320
Truck, Signalmen	8 day	\$40.00	\$320
Truck, Mechanic	8 day	\$75.00	\$600
Backhoe	5 day	\$210.00	\$1,050

E.R. Total                      \$2,290

OVERHEADS

Labor	Overhead Labor	\$1,783
MSE	Overhead Material	\$270

Total                      \$9,386

